

ENTERED

April 28, 2016

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SCOTT CHINITZ, Derivatively on behalf of	§	
Flotek Industries, Inc.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
JOHN W. CHISHOLM <i>ET AL.</i> , ,	§	Civil Action No. 4:16-cv-0158
	§	
Defendants, and	§	
	§	
FLOTEK INDUSTRIES, INC.,	§	
	§	
Nominal Defendant.	§	

ORDER

The Court grants the parties' Agreed Motion to Stay Derivative Action. The response deadlines in the Court's order dated March 11, 2016 are adjourned, and this action is stayed in its entirety until Judge Bennett enters an order denying (in whole or in part) or granting with prejudice any motion(s) to dismiss filed in the case styled *Ho v. Flotek Industries, Inc. et al*, Case No. 4:15cv3327 (S.D. Tex.) and there is no further opportunity for amending the complaint and no opportunity for appeal. Notwithstanding the foregoing, should any documents be provided to the plaintiff in another shareholder derivative action (subsequent to the filing of such action) dealing with the same or similar allegations as the Derivative Action, those documents will also be provided to counsel for Mr. Chinitz upon the entry of an appropriate confidentiality agreement. Any party to the Derivative Action shall have the right to dissolve the stay so long as such party provides at least thirty (30) days' prior written notice to the other parties. The parties shall meet and confer within fourteen (14) days after the expiration or lifting of the stay

concerning further proceedings in the Derivative Action and shall submit within thirty (30) days after the expiration or lifting of the stay a proposed scheduling order to the Court.

SIGNED this ___ day of **APR 27 2016** 2016



ALFRED H. BENNETT
UNITED STATES DISTRICT JUDGE